

# DECLARATION AND POWER OF ATTORNEY

# COPY

We, the below named inventors, hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our respective names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **SCALABLE AUDIO CONFERENCE PLATFORM**, described in an application executed by me on even day herewith and about to be filed in the United States Patent and Trademark Office; and which claims priority from United States Provisional Patent Application Serial No. 60/148,975, filed August 13, 1999 and United States Provisional Patent Application Serial No. 60/125,440, filed March 22, 1999.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

We hereby declare that all statements are made hereby of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And we hereby appoint:

Maurice E. Gauthier	- Reg. No. 20,798
I. Stephen Samuels	- Reg. No. 20,919
Richard L. Stevens	- Reg. No. 24,445
Matthew E. Connors	- Reg. No. 33,298
William E. Hilton	- Reg. No. 35,192
Patrick J. O'Shea	- Reg. No. 35,305
Arlene J. Powers	- Reg. No. 35,985
Steven M. Mills	- Reg. No. 36,610
Anthony P. Onello, Jr.	- Reg. No. 38,572
Richard L. Stevens, Jr.	- Reg. No. 44,357

all of the firm of Samuels, Gauthier & Stevens, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

We request that all correspondence be directed to:

Patrick J. O'Shea, Esq.  
Samuels, Gauthier & Stevens, LLP  
225 Franklin Street, Suite 3300  
Boston, MA. 02110

William O'Malley  
William O'Malley

3/22/00  
(Date)

U.S.  
(Citizenship)

2 Gloria Road  
Georgetown, MA 01833  
(Residence)

Same as Residence  
(Post Office Address)

Arthur P. Leondires  
Arthur P. Leondires

3/22/00  
(Date)

U.S.  
(Citizenship)

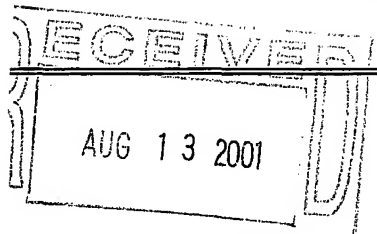
7 Brushwood Drive  
Atkinson, NH 03811  
(Residence)

Same as Residence  
(Post Office Address)

08-17-2001



101815126



HONORABLE COMMISSIONER OF  
PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENT(S) OR COPY(IES) THEREOF.

## 1. NAME OF CONVEYING PARTY(IES)

William O'Malley  
Arthur P. Leondires

*C*  
*8-13-01*

## 2. NAME(S) AND ADDRESS(ES) OF RECEIVING PARTY(IES)

Octave Communications, Inc.  
5 Industrial Way  
Salem, NH 03079

Additional name(s) of conveying party(ies) attached? No

Additional name(s) of receiving party(ies) attached? No

## 3. NATURE OF CONVEYANCE

- ☐ Assignment  
☐ Security Agreement  
☐ Merger  
☐ Change of Name  
☒ Record to Correct Assignor State of Incorporation on a Document Previously Recorded at Reel 010693, Frame 0282.

Execution Date: 03/22/2000

## 4. APPLICATION NUMBER(S) OR PATENT NUMBER(S)

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/532,602 filed 03/22/2000

B. Patent No(s):

C. Issue Batch No.:

D. Issue Date:

Additional numbers attached? No.

## 5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE DIRECTED:

Patrick J. O'Shea  
Samuels, Gauthier & Stevens LLP  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
(617) 426-9180, Extension 121

## 6. TOTAL NUMBER OF APPLICATIONS AND PATENTS INVOLVED: 1

## 7. TOTAL FEE DUE: \$40.00 (Enclosed)

If any additional fee(s) are due, the Commissioner is hereby authorized to charge the Deposit Order Account noted in item 8.

## 8. DEPOSIT ACCOUNT NUMBER: 19-0079

## 9. STATEMENT AND SIGNATURE

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patrick J. O'Shea  
Name of Person Signing

*Patrick O'Shea*  
Signature

*8/13/01*  
Date

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington D.C. 20231, Box Assignment.

*8-8-2001*  
Date

*Amy M. Flick*  
Amy M. Flick

08/17/2001 LMUELLER 00000058 09532602

01 FC:581

40.00 DP

HONORABLE COMMISSIONER OF  
PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

04-18-2000



101328357

JC658 U.S. PTO  
09/532602  
03/22/00

SIR:

PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENT(S) OR COPY(IES) THEREOF.

## 1. NAME OF CONVEYING PARTY(IES)

William O'Malley  
Arthur P. Leondires

Additional name(s) of conveying party(ies) attached? No

## 2. NAME(S) AND ADDRESS(ES) OF RECEIVING PARTY(IES)

Octave Communications, Inc.  
5 Industrial Way  
Salem, NH 03079

Additional name(s) of receiving party(ies) attached? No

## 3. NATURE OF CONVEYANCE

- ☒ Assignment  
☐ Security Agreement  
☐ Merger  
☐ Change of Name  
☐ Other

Execution Date:

March 22, 2000

## 4. APPLICATION NUMBER(S) OR PATENT NUMBER(S)

If this document is being filed together with a new application, the execution date of the application is: 3/22/2000

A. Patent Application No(s):

B. Patent No(s):

C. Issue Batch No.:

D. Issue Date:

Additional numbers attached? No.

5. NAME AND ADDRESS OF PARTY TO WHOM  
CORRESPONDENCE CONCERNING DOCUMENT  
SHOULD BE DIRECTED:

Patrick J. O'Shea  
Samuels, Gauthier & Stevens LLP  
225 Franklin Street, Suite 3300  
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## 9. STATEMENT AND SIGNATURE

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patrick J. O'Shea  
Name of Person Signing

Signature

Date

18/2000 JSHABAZZ 00000243 09532602

FC:581

40.00 DP

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date March 22, 2000 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL394290917US addressed to the: Assistant Commissioner of Patents, Washington, D.C. 20231.

*Deborah M. Costello*  
Deborah M. Costello

## ASSIGNMENT

Know all men by these presents

THAT WHEREAS WE, William O'Malley and Arthur P. Leondires  
of Georgetown, MA and Atkinson, NH, have made an invention for

### **SCALABLE AUDIO CONFERENCE PLATFORM**

described in an application executed by me on even date herewith and about to be filed in the United States Patent Office; and which claims priority from United States Provisional Patent Application Serial No. 60/148,975 filed on August 13, 1999; and United States Provisional Patent Application Serial No. 60/125,440, filed March 22, 1999; and

WHEREAS Octave Communications, Inc., a corporation duly organized and existing under the laws of New Hampshire and having a place of business at 5 Industrial Way, Salem, New Hampshire, 03079, for the benefit of itself, its successors and assigns, all inclusively hereinafter referred to as the Assignee, is desirous of acquiring the entire right, title and interest in and to the said invention, the said application, all inventions disclosed in said application, and any and all Letters Patent of the United States and of all other countries which may be granted for the said invention or inventions, or any of them;

NOW, THEREFORE, for good and valuable consideration provided by said Assignee, the receipt whereof is hereby acknowledged, we do hereby sell, assign and transfer to the said Assignee the entire right, title and interest in and to the said invention, inventions and application, including all priority rights arising therefrom, all inventions disclosed in said application, and any and all Letters Patent of the United States, and of all other countries, together with the right to apply for such Letters Patent, which may be granted for the said invention, inventions or any of them.

TO HAVE, HOLD AND ENJOY the said invention, the said application, and the said Letters Patent, to said

**OCTAVE COMMUNICATIONS, INC.**

its successors and assigns, to its and their own use and behoof to the full end of the term or terms for which the said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

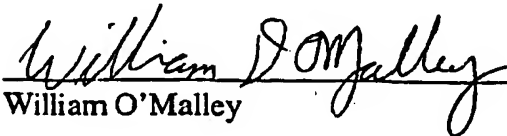
AND we hereby authorize and request the Commissioner of Patents of the United States and the appropriate officers of all foreign patent offices to issue any and all Letters Patent which may be granted on the said application or applications above referred to, or for the said invention, or any of them, to the said Assignee in accordance with the terms of this instrument.

AND we hereby agree to execute and sign without further consideration any other legal document and any other assignments and any divisional, continuing, renewal, reissue or other application in and for all patents that may be appropriate and may be deemed necessary by the Assignee fully to secure to said Assignee its interests as aforesaid in and to the said invention or any part thereof and in and to the said patents or any of them.

AND we further covenant and agree that we will at any time upon request communicate to the said Assignee, its successors, assigns or other legal representatives, any facts known to us relating to the said invention and any patent that may be granted thereon, and will testify as to the same in any interference or litigation when requested to do so.

AND we do hereby covenant for ourselves and our legal representatives that we have not hitherto assigned or granted any license to make, use or sell said invention, and that we will not henceforth purport to assign, license or execute any instrument to that effect in conflict with this assignment.

IN WITNESS WHEREOF we have hereunto set our hands and seal this 22 day of March, 2000.

  
\_\_\_\_\_  
William O'Malley

  
\_\_\_\_\_  
Arthur P. Leondires

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** O'Malley et al.

**GROUP:** 2742

**SERIAL NO:** 09/532,602

**EXAMINER:** Unknown

**FILED:** March 22, 2000

**FOR:** SCALABLE AUDIO CONFERENCE PLATFORM

U.S. Patent and Trademark Office  
Office of Public Records  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231  
Box Assignment

Sir:

**LETTER**

This Letter is to correct an error in the recorded Assignment document. Octave Communications, Inc. is a corporation duly organized and existing under the laws of Delaware, not New Hampshire as the recorded Assignment document at reel 010693, frame 0282 states.

Respectfully submitted,



---

Patrick J. O'Shea  
Registration No. 35,305  
Samuels, Gauthier & Stevens LLP  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension: 121



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 13, 2000

PTAS

SAMUELS, GAUTHIER & STEVENS LLP  
PATRICK J. O'SHEA  
225 FRANKLIN STREET, SUITE 3300  
BOSTON, MA 02110



\*101323357A\*

JUN 22 2000

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

SEARCHED  
SERIALIZED

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/22/2000

REEL/FRAME: 010693/0282  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

O'MALLEY, WILLIAM

DOC DATE: 03/22/2000

**ASSIGNOR:**

LEONDIRES, ARTHUR P.

DOC DATE: 03/22/2000

**ASSIGNEE:**

OCTAVE COMMUNICATIONS, INC.  
5 INDUSTRIAL WAY  
SALEM, NEW HAMPSHIRE 03079

SERIAL NUMBER: 09532602  
PATENT NUMBER:

FILING DATE: 03/22/2000  
ISSUE DATE:

SEDLEY PYNE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 18, 2001

PTAS

SAMUELS, GAUTHIER & STEVENS LLP  
PATRICK J. O'SHEA  
225 FRANKLIN STREET, SUITE 3300  
BOSTON, MASSACHUSETTS 02110



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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 08/13/2001

REEL/FRAME: 012069/0861

NUMBER OF PAGES: 4

BRIEF: RECORD TO CORRECT ASSIGNOR STATE OF INCORPORATION ON A DOCUMENT PREVIOUSLY RECORDED AT REEL 010693, FRAME 0282.

ASSIGNOR:

O'MALLEY, WILLIAM

DOC DATE: 03/22/2000

ASSIGNOR:

LEONDIRES, ARTHUR P.

DOC DATE: 03/22/2000

ASSIGNEE:

OCTAVE COMMUNICATIONS, INC.  
5 INDUSTRIAL WAY  
SALEM, NEW HAMPSHIRE 03079

SERIAL NUMBER: 09532602

FILING DATE: 03/22/2000

PATENT NUMBER:

ISSUE DATE:

SAUNDRA BALLENGER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Received: 5/1/2003 9:11 AM; -&gt;VOYANT TECH; #323; Page 4

MAY. 1. 2003 10:05AM

DORR CARSON SLOAN &amp; BIRNEY PC

NO. 0009 P. 4

**COPY**

PTO/SB/98 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: William O'Malley et al.Application No./Patent No.: 09/532,602 Filed/Issue Date: March 22, 2000Entitled: SCALABLE AUDIO CONFERENCE PLATFORMOctave Communications, Inc., a New Hampshire corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012050, Frame 0851, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

**NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5-2-03

Date

William P. Ernstrom

Typed or printed name

Signature

President

Title

Received: 5/1/2003 9:21 AM; -&gt;VOYANT TECH; #323; Page 3

MAY. 1. 2003 10:04AM DORR CARSON SLOAN &amp; BIRNEY PC

NO. 0009 P. 3

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Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (02-01)

Approved for use through 10/31/2002, OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/532,602
Filing Date	March 22, 2000
First Named Inventor	William O'Malley
Title	SCALABLE AUDIO CONFERENCE PLATFORM
Group Art Unit	2742
Examiner Name	
Attorney Docket Number	7257/116

I hereby appoint:

☒ Practitioners at Customer Number

23381

Place Customer  
Number Bar Code  
Label here☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

Place Customer  
Number Bar Code  
Label here☒ Firm or  
Individual Name

Robert C. Dorr, Esq.

Address

Dorr, Carson, Sloan &amp; Birney, P.C.

Address

3010 E. 6th Avenue

City

Denver

State

CO

Zip

80206

Country

USA

Telephone

303-333-3010

Fax

303-333-1470

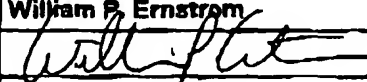
I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

William P. Ernstrom

Signature



Date

5-2-03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.